

1 HB98
2 125567-1
3 By Representatives Rich and Johnson (W) (Constitutional
4 Amendment)
5 RFD: Constitution, Campaigns and Elections
6 First Read: 01-MAR-11

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8 SYNOPSIS: This bill would propose an amendment to the
9 Constitution of Alabama of 1901, that would provide
10 that no person may be elected to the Legislature
11 for more than three full consecutive terms. The
12 amendment would provide that an election to the
13 Senate or the House of Representatives for at least
14 two years would be equivalent to the election for a
15 full term in that body. The amendment would provide
16 that service in the Senate and in the House of
17 Representatives prior to November, 2014, would not
18 disqualify, in whole or in part, the person from
19 service in those bodies following that date. The
20 amendment would provide that a person, after the
21 expiration of a legislative quadrennium from his or
22 her third consecutive term, may serve as a member
23 of the Legislature if the person has not served in
24 any capacity with the State of Alabama or any of
25 its departments, agencies, boards, commission, or
26 public educational institutions on a compensated or
27 non-compensated basis, or has not received

1 compensation for seeking the passage, defeat, or
2 modification of legislation by conveying
3 information and opinion to legislators or
4 influencing the actions of the State of Alabama or
5 any of its departments, agencies, boards,
6 commissions, or public educational institutions.

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8 A BILL
9 TO BE ENTITLED
10 AN ACT

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12 To propose an amendment to the Constitution of
13 Alabama of 1901, that would provide that no person may be
14 elected to the Senate or the House of Representatives, or
15 both, to more than three consecutive full terms in the
16 Legislature; to provide that service in the Senate or the
17 House of Representatives prior to November, 2014, would not
18 disqualify, in whole or in part, the person from election to
19 those bodies following such date; and to allow a person to be
20 elected, after the expiration of a legislative quadrennium
21 from his or her third consecutive term, on certain conditions.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. The following amendment to the
24 Constitution of Alabama of 1901, as amended, is proposed and
25 shall become valid as a part thereof when approved by a
26 majority of the qualified electors voting thereon and in

1 accordance with Sections 284, 285, and 287 of the Constitution
2 of Alabama of 1901, as amended:

3 PROPOSED AMENDMENT

4 (a) For purposes of this amendment, service in or
5 election to the Legislature means service in or election to
6 the Senate, the House of Representatives, or cumulative
7 service in or election to both.

8 (b) No person may be elected to the Legislature for
9 more than three full consecutive terms. An election to the
10 Senate or the House of Representatives for at least two years
11 shall be equivalent to the election of the person for a full
12 term in the body. Service in the Senate or House of
13 Representatives prior to November, 2014, shall not disqualify,
14 in whole or in part, a person from service in such bodies
15 following that date.

16 (c) A person may be elected as a member of the
17 Legislature at the second or later legislative quadrennium
18 after completion of his or her third consecutive term if the
19 person, after completion of the third consecutive term, has
20 not:

21 (1) Served in any capacity with the State of Alabama
22 or any of its departments, agencies, boards, commission, or
23 public educational institutions on a compensated or
24 non-compensated basis.

25 (2) Received compensation for seeking the passage,
26 defeat, or modification of legislation by conveying
27 information or opinions, or both, to legislators or

1 influencing the actions of the State of Alabama or any of its
2 departments, agencies, boards, commissions, or public
3 educational institutions.

4 (d) Subsection (c) does not apply to a former state
5 senator or state representative who is awarded a competitively
6 bid state contract.

7 Section 2. An election upon the proposed amendment
8 shall be held in accordance with Sections 284 and 285 of the
9 Constitution of Alabama of 1901, now appearing as Sections 284
10 and 285 of the Official Recompilation of the Constitution of
11 Alabama of 1901, as amended, and the election laws of this
12 state.

13 Section 3. The appropriate election official shall
14 assign a ballot number for the proposed constitutional
15 amendment on the election ballot and shall set forth the
16 following description of the substance or subject matter of
17 the proposed constitutional amendment:

18 "Proposing an amendment to the Constitution of
19 Alabama of 1901, to prohibit a person from being elected to
20 the Senate or to the House of Representatives, or both, for
21 more than three consecutive full terms; to provide that an
22 election to the Senate or to the House of Representatives for
23 at least two years would be equivalent to the election of such
24 person for a full term in such body; to provide that service
25 in the Senate or the House of Representatives prior to
26 November, 2014, would not disqualify, in whole or in part, the
27 person from service in such bodies following that date; and to

1 allow a person to be elected at the second or later
2 legislative quadrennium after his or her third consecutive
3 term, if the person, after the legislative service, is not
4 employed or associated with the State of Alabama or any of its
5 departments, agencies, boards, commissions, or public
6 educational institutions or receives compensation for seeking
7 the passage, defeat, or modification of legislation by
8 conveying information and opinions to legislators or
9 influencing the actions of the State of Alabama or any of its
10 departments, agencies, boards, commissions, or public
11 educational institutions.

12 "Proposed by Act _____."

13 This description shall be followed by the following
14 language:

15 "Yes () No ()."